Case 09-24522 Doc 1 Filed 07/06/09 Entered 07/06/09 17:06:44 Desc Main

B1 (Official Form 1) (1/08) Document Page 1 of 43

United States Bankruptcy Court
Northern District of Illinois Eastern Division

Volu	ıntarv	Petition

										-		
Name of Debtor (if individual, enter Last, First, Middle):							Name of Joint Debtor (Spouse) (Last, First, Middle)					
	Te	erry, Br	iston ,	Sr.			Terry, Gail, Renee					
All Other Names used by the Debtor in the last 8 years (include married, maiden and trade names):							All Other Names used by the Joint Debtor in the last 8 years (include married, maiden and trade names):					
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) * ***-**-6375							ur digits of Soc. S e than one, state a	all\ *	al-Taxpayer I.D. ( ***-**-63		nplete EIN	
Street Address of	Debtor (No. &	Street, City, an	d State):			Street	Address of Joint	Debtor (No. & S	Street, City, and	State):		
78 Terry D	rive					78	Terry Driv	e		_		
Sugar Gro	ve IL			•	60554		gar Grove				60554	
County of Residen	ice or of the P	rincipal Place o	f Business:			Count	y of Residence or	of the Principal	I Place of Busine	ess:		
		KA	NE						KANE			
Mailing Address of	Debtor (if diff	ferent from stree	et address)			Mailing	g Address of Joint	t Debtor (if diffe	rent from street a	address):		
Location of Princip	al Assets of E	Business Debtor	(if different fr	om street addr	ess above):							
	tor (Form of O	rganization)		Nature of Bus (Check one b			Chapter of Banl	kruptcy Code U	Inder Which the	Petition is Fil	led (Check one box)	
See Exhibi	(includes Joii it D on page 2 o on (includes L ip	f this form	☐ Single		tate as		_ · · · · · · · · · · · · · · · · · · ·					
,	debtor is not o		I _	odity Broker			Nature of Debts (Check one Box)					
	tities, check the type of entity		☐ Clearii	ng Bank		■ □	■ Debts are primarily consumer □ Debts are primarily business					
and state type of entity below.)  Tax-Exempt Entity (Check box, if applicable.) Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).					di § in	debts, defined in 11 U.S.C. debts. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose."						
		Filing Fee (Cl	neck one box)			Check	one box	CI	hapter 11 Debto	rs		
■ Filing Fee attached  □ Filing Fee to be paid in installments (applicable in individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.  □ Filing Fee wavier requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.					Check	Check if:  Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affliates) are less than \$2,190,000.  Check all applicable boxes:  A plan is being filed with this petition.  Acceptances of the plan were solicited prepetition from one of more classes				ebts owed to		
Statistical/Administrative Information  ☐ Debtor estimates that funds will be available for distribution to unsecured credtiors.  ☐ Debtor estimates that, after any exempt property is excluded and administrative expenses funds available for distribution to unsecured creditors.						nses paid, th	ere will be no			This space	ce is for court use only	
Estimated Number of	of Creditors											
1- 49	50- 99	100- 199	200- 999	1,000- 5,000	5,001- 10,000	10,001 25,000	25,001	50,001 100,000	Over 100,000			
Estimated Assets \$0 to \$50,000	\$50,001to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1	\$1,000,001 to \$10	\$10,000,001 to \$50	\$50,000,001 to \$100	\$100,000,001 to \$500	\$500,000,001 to \$1billion	More than \$1 billion			
Estimated Liabilities		_	million	million	million	million	million		_			
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1	\$1,000,001 to \$10	\$10,000,001 to \$50	\$50,000,001 to \$100 million	\$100,000,001 to \$500	\$500,000,001 to \$1billion	More than \$1 billion			

B1 (Official Form	n 1) (1/08) Document	_ Page 2 of 43	
	Voluntary Petition	Name of Debtor(s)	
	This page must be completed and filed in every case)	_	, Briston , Sr. Renee Terry
	All Prior Bankruptcy Case Filed Within Last 8	Years (if more than two, attach additional she	et)
Location Where File	pd:	Case Number:	Date Filed:
None			
None			
	Pending Bankruptcy Case Filed by any Spouse, Partner, or A	Affilate of this Debtor (if more than one, attach	additional sheet)
Name of Debtor:		Case Number:	Date Filed:
None			
District:		Relationship:	Judge:
	F. J. V. A	Ev	hibit B
(To be comp	<b>Exhibit A</b> bleted if debtor is required to file periodic reports (e.g.,		ual whose debts are primarily consumer debts.)
	nd 10Q) with the Securities and Exchange Commission	I, the attorney for the petitioner named in the have informed the petitioner that [he or she] n	
-	Section 13 or 15 (d) of the Securities Exchange Act of	or 13 of title 11, United States Code, and have	e explained the relief available under
1934 and is re	equesting relief under chapter 11.)	each such chapter. I further certify that I have required by 11 USC § 342(b).	e delivered to the debtor the notice
☐ Exhibit	A is attached and made a part of this petition.	/s/ Alex	Wilson
		Alex Wilson	Dated: 07/06/2009
Doe	<b>Exh</b> es the debtor own or have possession of any property that poses or is allege	ibit C	harm to public health or safety?
_	nd Exhibit C is attached and made a part of this petition.	to pool a threat of miniment and identifiable	name to public neutral or surety.
No.	The Exhibit C is attached and made a part of this petition.		
	Exh (To be completed by every individual debtor. If a joint petition is file	ibit D	narate Evhibit D )
Exhibit	D completed and signed by the debtor is attached and made a part of this p	•	parate Extribut B.,
If this is	a joint petition:  D also completed and signed by the joint debtor is attached and made a pa		
		·	
	<b>-</b>	ng the Debtor - Venue  pplicable Box.)	
	Debtor has been domiciled or has had a residence, principal p	lace of business, or principal assets in this	s District for 180 days
	immediately preceding the date of this petition or for a longer p	part of such 180 days than in any other Dis	strict.
	There is a bankruptcy case concerning debtor's affiliate, gener	ral partner, or partnership pending in this I	District.
	Debtor is a debtor in a foreign proceeding and has its principal	place of business or principal assets in the	ne United
	States in this District, or has no principal place of business or a		
	or proceeding [in a federal or state court] in this District, or the relief sought in this District.	interests of the parties will be served in re	egard to the
	Certification by a Debtor Who Reside (Check all app	es as a Tenant of Residential Problems and Problems (1997)	operty
	Landlord has a judgment against the debtor for possession of	debtor's residence. (If box checked, comp	plete the
	following.)  (Name of landlord that obtained judgment)		
	(Address of Landlord)		
			and the
	Debtor claims that under applicable nonbankruptcy law, there a permitted to cure the entire monetary default that gave rise to t		
_	possession was entered, and	<b>.</b>	
	Debtor has included in this petition the deposit with the court of	f any rent that would become due during t	he 30-day
	period after the filing of the petition.		
	Debtor certifies that he/she has served the Landlord with this c	certification. (11 U.S.C. § 362(1))	

Case 09-24522 Doc 1 Filed 07/06/09 Entered 07/06/09 17:06:44 Desc Main B1 (Official Form 1) (1/08) Document Page 3 of 43

**Voluntary Petition** 

This page must be completed and filed in every case)

Name of Joint Debtor(s)

Terry, Briston, Sr. Gail Renee Terry

### **Signatures**

#### Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7,11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

/s/ Briston Terry, Sr.

**Briston Terry** 

Dated: 07/06/2009

/s/ Gail Renee Terry

**Gail Renee Terry** 

Dated: 07/06/2009

#### Signature of Attorney

/s/ Alex Wilson

Signature of Attorney for Debtor(s)

#### **Alex Wilson**

Printed Name of Attorney for Debtor(s)

LAW OFFICES OF PETER FRANCIS GERACI 55 E. Monroe Street #3400 Chicago IL 60603 312.332.1800 (PH)

Date: 07/06/2009

\* In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

#### Signature of Debtor (Corporation/Partnerhsip)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

#### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States

Code. Certified copies of the documents required by 11 U.S.C. § 1515 are

Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

(Signature of Foreign Representative)

(Printed Name of Foreign Representative)

### << Sign & Date on Those Lines

### << Sign & Date on Those Lines

#### Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for fi ling for a debtor or accepting any fee from the debtor, as required in that section.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankrutpcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

#### Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person or partner whose social security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.



In re

Briston Terry Sr. and Gail Renee Terry, Debtors

Bankruptcy Docket #:

## EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed.

		Briston Terry, Sr.	Here
Dated:	07/06/2009	/s/ Briston Terry, Sr.	Sign & Date
I certify u	nder penalty of perjury that th	he information provided above is true and correct.	
does	<ol><li>The United States trustee or bank not apply in this district.</li></ol>	cruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109	9(h)
	Active military duty in a military of	combat zone.	
partic	- ·	. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to person, by telephone, or through the Internet.);	
of rea	. , ,	C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapal vith respect to financial responsibilities.);	ple
by a n	4. I am not required to receive a creconotion for determination by the court.]	dit counseling briefing because of: [Check the applicable statement.] [Must be accompanied	
mana the 3	bankruptcy petition and promptly file a gement plan developed through the a 0-day deadline can be granted only for	ne court, you must still obtain the credit counseling briefing within the first 30 days after you file a certificate from the agency that provided the counseling, together with a copy of any debt gency. Failure to fulfill these requirements may result in dismissal of your case. Any extension r cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court in bankruptcy case without first receiving a credit counseling briefing.	
•	from the time I made my request, and can file my bankruptcy case now. [Mu	counseling services from an approved agency but was unable to obtain the services during the following exigent circumstances merit a temporary waiver of the credit counseling require ust be accompanied by a motion for determination by the court.] [Summarize exigent circumstances are constant of the court.]	ment
perfe a co	ed States trustee or bankruptcy admin orming a related budget analysis, but I	filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by histrator that outlined the opportunties for available credit counseling and assisted me in I do not have a certificate from the agency describing the services provided to me. You must fi scribing the services provided to you and a copy of any debt repayment plan developed through In bankruptcy case is filed.	le
perfo	ed States trustee or bankruptcy admin orming a related budget analysis, and	iling of my bankruptcy case, I received a briefing from a credit counseling agency approved by istrator that outlined the opportunties for available credit counseling and assisted me in I have a certificate from the agency describing the services provided to me. Attach a copy of t ent plan developed through the agency.	

PFG Record # 437884 B 1D (Official Form 1, Exh.D)(12/08) Page 1 of 1

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

Bankruptcy Docket #:

## EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed.

		Gail Renee Terry	nere	
Dated:	07/06/2009	/s/ Gail Renee Terry	Sign & Date Here	е
I certify	under penalty of perjury that	t the information provided above is true and correct.		
doe	<ol><li>The United States trustee or bases not apply in this district.</li></ol>	ankruptcy administrator has determined that the credit counseling requirement of 11 U	J.S.C. § 109(h)	
	Active military duty in a milita	ry combat zone.		
par	• •	S.C. $\S$ 109(h)(4) as physically impaired to the extent of being unable, after reasonable in person, by telephone, or through the Internet.);	effort, to	
of r		S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to s with respect to financial responsibilities.);	o be incapable	
by a	I am not required to receive a car amotion for determination by the could be a motion.	credit counseling briefing because of: [Check the applicable statement.] [Must be accept.]	companied	
ma the	ur bankruptcy petition and promptly file nagement plan developed through the 30-day deadline can be granted only	to the court, you must still obtain the credit counseling briefing within the first 30 days are a certificate from the agency that provided the counseling, together with a copy of are agency. Failure to fulfill these requirements may result in dismissal of your case. Are for cause and is limited to a maximum of 15 days. Your case may also be dismissed your bankruptcy case without first receiving a credit counseling briefing.	ny debt ny extension of	
so	ays from the time I made my request,	it counseling services from an approved agency but was unable to obtain the services and the following exigent circumstances merit a temporary waiver of the credit counse [Must be accompanied by a motion for determination by the court.] [Summarize exigen	eling requirement	
<u>——</u> ре	nited States trustee or bankruptcy adderforming a related budget analysis, b	the filling of my bankruptcy case, I received a briefing from a credit counseling agency a ministrator that outlined the opportunties for available credit counseling and assisted report I do not have a certificate from the agency describing the services provided to me. describing the services provided to you and a copy of any debt repayment plan developed your bankruptcy case is filed.	me in You must file	
pe	nited States trustee or bankruptcy adderforming a related budget analysis, a	ne filing of my bankruptcy case, I received a briefing from a credit counseling agency a ministrator that outlined the opportunties for available credit counseling and assisted n and I have a certificate from the agency describing the services provided to me. Attack ment plan developed through the agency.	me in	

PFG Record # 437884 B 1D (Official Form 1, Exh.D)(12/08) Page 1 of 1

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

### **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, C, D, E, F, I and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

	Attached		АМО	UNTS SCHEDULED	LED		
Name of Schedule			Assets	Liabilities	Other		
SCHEDULE A - Real Property	Yes	1	\$250,000	<b>\$</b> -	\$-		
SCHEDULE B - Personal Property	Yes	3	\$97,365	\$-	\$-		
SCHEDULE C - Property Claimed as Exempt	Yes	1+	\$-	\$-	\$-		
SCHEDULE D - Creditors Holding Secured Claims	Yes	1+	\$-	\$303,238	\$-		
SCHEDULE E - Creditors Holding Unsecured Priority Claims	Yes	2	\$-	\$-	\$-		
SCHEDULE F - Creditors Holding Unsecured Nonpriority Claims	Yes	1+	\$-	\$63,124	\$-		
SCHEDULE G - Executory Contracts and Unexpired Leases	Yes	1	\$-	\$-	\$-		
SCHEDULE H - CoDebtors	Yes	1	\$-	\$-	\$-		
SCHEDULE I - Current Income of Individual Debtor(s)	Yes	1	\$-	\$-	\$6,407		
SCHEDULE J - Current Expenditures of Individual Debtor(s)	Yes	1	\$-	\$-	\$6,346		
TOTALS			\$ 347,365 TOTAL ASSETS	\$ 366,362 TOTAL LIABILITIES			

Case 09-24522 Doc 1 Filed 07/06/09 Entered 07/06/09 17:06:44 Desc Main Page 7 of 43 Document

### **UNITED STATES BANKRUPTCY COURT** NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Briston Terry Sr.and Gail Renee Terry, Debtors

not required to report any information here.

Bankruptcy Docket #:

### STATISTICAL SUMMARY OF CERTAIN LIABILITIES - 28 U.S.C. § 159

If you are an individual debtor whose debts are primarily consumer debts as defined in 101(8) of the Bankruptcy Code (11 U.S.C. 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below Check this box if you are an individual debtor whose debts are NOT primarily consumer debts and, therefore, are

This information is for statistical purposes only under 28 U.S.C § 159 Summarize the following types of liabilities, as reported in the Schedules, and total them

Type of Liability	Amount
Domestic Support Obligations (From Schedule E)	\$ 0
Taxes and Certain Other Debts Owed to governmental Units (From Schedule E)	\$ 0
Claims for Death or Personal Injury While Debtor was Intoxicated (From Schedule E) whether disputed or undisputed)	\$ 0
Student Loan Obligations (From Schedule F)	\$ 6,164.00
Domestic Support Separation Agreement and Divorce Decree Obligations Not Reported on (Schedule E).	\$ 0
Obligations to Pension or Profit Sharing and Other Similar Obligations (From Schedule F)	\$ 0
TOTAL	\$ 6,164

#### State the following:

Average Income (from Schedule I, Line 16)	\$ 6,406.96
Average Expenses (from Schedule J, Line 18)	\$ 6,345.80
Current Monthly Income (from Form 22A Line 12; or, Form 22B Line 11; or, Form 22C Line 20)	\$ 5,572.85

#### State the following:

Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ 0.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	\$ 0.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" Column		\$0
4. Total from Schedule F		\$ 63,124.00
5. Total of non-priority unsecured debt (sum of 1,3 and 4)		\$ 63,124.00

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

#### **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband Wife Joint Or Community	Current Value of Debtors Interest in Property Without Deducting and Secured Claim or Exemption	Amount of Secured Claim
78 Terry Drive Sugar Grove, IL 60554 - (Debtors primary residence)	Fee Simple	J	\$ 250,000	\$ 250,238

**Total Market Value of Real Property** 

(Report also on Summary of Schedules)

\$250,000.00

PFG Record # 437884 B6A (Official Form 6A) (12/07) Page 1 of 1

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

#### **SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "HWJC." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

#### Do not list interest in executory and unexpired leases on this schedule. List them in Schedule G.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." In providing the information in this schedule, do not include the name or address of a minor child. Simpy state a "minor child."

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or quardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Type of Property	N O N E	Description and Location of Property  Debtor' Proper Dedu		Debtor's Property Deduc	nt Value of 's Interest in rty, Without ucting Any ed Claim or	
01. Cash on Hand	X					
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.		checking account with -Harris Bank checking account with -Old Second		\$	100 40	
03. Security Deposits with public utilities, telephone companies, landlords and others.	X			<u> </u>		
04. Household goods and furnishings, including audio, video, and computer equipment.		Household goods; TV, VCR, stereo, sofa, vacuum, table, chairs, lamps, entertainment center, bedroom sets, washer/dryer, stove, refrigerator, microwave, pots/pans, dishes/flatware		\$	1,200	
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		Books, Compact Discs, Tapes/Records, Family Pictures		\$	100	
06. Wearing Apparel		Necessary wearing apparel.		\$	250	
07. Furs and jewelry.		Earrings, watch, costume jewelry, wedding bands		\$	50	
08. Firearms and sports, photographic, and other hobby equipment.	X					
09. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.  PEG Record # 437884	X	B6B (Official	Far- 0	B) (42/27)	Page 1 of 3	

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

SCHEDULE B - PERSONAL PROPERTY							
Type of Property	N O N E	Description and Location of Property	C A H	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or			
10. Annuities. Itemize and name each issuer.	X						
11. Interests in an educational IRA as defined in 26 U.S.C 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. 529(B)(1). Give particulars. (File separately the records(s) of any such interest(s). 11 U.S.C. 521(c); Rule 1007(b)).	X						
12. Interest in IRA,ERISA, Keogh, or other pension or profit sharing plans. Give particulars	X						
13. Stocks and interests in incorporated and unincorporated businesses.	X						
14. Interest in partnerships or joint ventures. Itemize. Itemize.	X						
15. Government and corporate bonds and other negotiable and non-negotiable instruments.	X						
16. Accounts receivable	X						
17. Alimony, maintenance, support and property settlements to which the debtor is or may be entitled	X						
18. Other liquidated debts owing debtor including tax refunds. Give particulars.	X						
Equitable and future interests, life estates, and rights of power exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X						
20. Contingent and Non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X						
21. Other contingent and unliquidated claims of every nature, including tax refunds, counter claims of the debtor, and rights to setoff claims. Give estimated value of each.		overpayment of debt consolidation		\$ 2,550			
22. Patents, copyrights and other intellectual property. Give particulars.	X			, ,			
23. Licenses, franchises and other general intangibles.	Х						
24. Customer list or other compilations containing personally identifiable information (as defined in 11 USC 101 41A provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes	X						

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

	SCHE	EDULE B - PERSONAL PROPERTY				
Type of Property	N O N E	Description and Location of Property	C H M	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or		
25. Autos, Truck, Trailers and other vehicles and accessories.						
		2001 Ford F150 - fair condition		\$ 3,750		
		2000 Nissan Altima - fair condition		\$ 1,600		
		2006 Kia Sedona - good condition		\$ 7,725		
26. Boats, motors and accessories.	х					
27. Aircraft and accessories.	Х					
28. Office equipment, furnishings, and supplies.	Х					
29. Machinery, fixtures, equipment, and supplie used in business.	Х					
30. Inventory	х					
31. Animals	х					
32. Crops-Growing or Harvested. Give particulars.	Х					
33. Farming equipment and implements.	Х					
34. Farm supplies, chemicals, and feed.	х					
35. Other personal property of any kind not already listed. Itemize.						
		Silverleaf Resorts - time share located in Orlando FL. Debtor intends to SURRENDER	J	\$ 80,000		
		Total (Report also on Summary of Schedules)		\$97,365		

# Document Page 12 of 43 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Briston Terry Sr. and Gail Renee Terry, Debtors

11 U.S.C. § 522(b)(3)

SCHEDULE C - PROPE	RTY CLAIMED EXEMPT
Debtor claims the exemptions to which debtor is entitled under: (Check one box)	Check if debtor claims a homestead exemption that exceeds \$136,875

1	Value of Claimed Exemption	Current Value of Property without Deducting Exemption
	\$ 30,000	\$ 250,000
	\$ 100	\$ 100
)	\$ 40	\$ 40
	\$ 1,200	\$ 1,200
	\$ 100	\$ 100
(e)	\$ 250	\$ 250
)	\$ 50	\$ 50
	\$ 2,400	\$ 3,750
	\$ 1,600	\$ 1,600

PFG Record # 437884 B6C (Official Form 6C) (12/07) Page 1 of 2

# Document Page 13 of 43 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Briston Terry Sr. and Gail Renee Terry, Debtors

SCHEDULE C - PROPERTY CLAIMED EXEMPT												
Debtor claims the exemptions to which debtor is entitled under: (Check one box)  11 U.S.C. § 522(b)(2)  11 U.S.C. § 522(b)(3)  Check if debtor claims a homestead exemption that exceeds \$136,875												
Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property without Deducting Exemption									
2006 Kia Sedona - good condition	735 ILCS 5/12-1001(c)	\$ 2,400	\$ 7,725									

735 ILCS 5/12-1001(b)

\$ 5,000

PFG Record # 437884 B6C (Official Form 6C) (12/07) Page 2 of 2

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

#### SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s) on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule D.

	Creditor's Name and Mailing Address Including Zip and Account Number (See Instructions Above)	Codebtor	C A H	* Date Claim was Incured  * Nature of Lien  *Value of Property Subject to Lien  *Description of Property	Contingent	Unliquidated	Disputed	Amount of Claim Without Deducting Value of	Unsecured Portion, If Any
1	Silverleaf Resorts Bankruptcy Department PO Box 358 Dallas TX 75221 Acct No.:		J	Dates: 2006  Nature of Lien: Lien on Time Share - PMSI  Market Value: \$ 80,000  Intention: Surrender  *Description: Silverleaf Resorts - time share located in Orlando FL. Debtor intends to SURRENDER				\$ 53,000	\$ 0
2	US BANK Attn: Bankruptcy Dept. 4801 Frederica St Owensboro KY 42301 Acct No.: 7608250306689		J	Dates: 2008-2009  Nature of Lien: Mortgage  Market Value: \$ 250,000  Intention: Reaffirm 524 (c)  *Description: 78 Terry Drive Sugar Grove, IL  60554 - (Debtors primary residence)				\$ 250,238	\$ 0

Total

\$ 303,238 \$ -

(Report also on Summary of Schedules.) (if applicatble, report also on Statistical Summary of Certain Liabilities and Related Data.)

PFG Record # 437884 B6D (Official Form 6D) (12/07) Page 1 of 1

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

#### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts who file a case under chapter 7 or 13 report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)
Domestic Support Obligations Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
Extensions of Credit in an involuntary case Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but bfore the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).
Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950 * per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
Contributions to employee benefit plans Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
Deposits by individuals Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
Taxes and certain other Debts Owed to Governmental Units  Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
Commitments to maintain the capital of insured depository institution Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governor of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).
Claims for death or personal injury while debtor was intoxicated  Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance, 11 LLS C, 8 507(a)(10)

\* Amounts are subject to adjustment on April 10, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

PFG Record # 437884 B6E (Official Form 6E) (12/07) Page 1 of 1

In re

Briston Terry Sr. and Gail Renee Terry / Debtors

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts filing a case under chapter 7, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

L				·				
	Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C H W	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
1	BANK OF America Attn: Bankruptcy Dept. Po Box 1598 Norfolk VA 23501 Acct #: XXXXX6337		w	Dates: 2003-2009 Reason: Credit Card or Credit Use				\$ 1,135
2	BANK OF America Attn: Bankruptcy Dept. Pob 17054 Wilmington DE 19884 Acct #: XXXXX6337		w	Dates: 2006-2009 Reason: Credit Card or Credit Use				\$ 7,071
3	CHASE Attn: Bankruptcy Dept. 800 Brooksedge Blvd Westerville OH 43081 Acct #: XXXXX6337		w	Dates: 2005-2009  Reason: Credit Card or Credit Use				\$ 6,944

Record # 437884 B6F (Official Form 6F) (12/07) Page 1 of 5

# Document Page 17 of 43 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Briston Terry Sr. and Gail Renee Terry / Debtors

In re

	SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS										
	Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C A H	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim			
4	CHASE Attn: Bankruptcy Dept. 800 Brooksedge Blvd Westerville OH 43081 Acct #: XXXXX6375		Н	Dates: 1989-2009 Reason: Credit Card or Credit Use				\$ 9,077			
5	Chase-Bp Attn: Bankruptcy Dept. 800 Brooksedge Blvd Westerville OH 43081 Acct #: XXXXX6337			Dates: 1987-2009 Reason: Credit Card or Credit Use				\$ 20			
6	CITI Attn: Bankruptcy Dept. Po Box 6003 Hagerstown MD 21747 Acct #: XXXXX6375		Н	Dates: 2007-2009 Reason: Credit Card or Credit Use				\$ 797			
7	CITI Attn: Bankruptcy Dept. Po Box 6241 Sioux Falls SD 57117 Acct #: XXXXX6375		Н	Dates: 1989-2009 Reason: Credit Card or Credit Use				\$ 14,086			
8	CPU/CBSD  Attn: Bankruptcy Dept. Po Box 6497 Sioux Falls SD 57117  Acct #: XXXXX6375		Н	Dates: 1991-2009 Reason: Credit Card or Credit Use				\$ 586			
9	Delnor Community Hospital  Bankruptcy Department 300 Randall Rd. Geneva IL 60134  Acct #:		J	Dates: 2009 Reason: Medical/Dental Services				\$ 800			
10	Department of Education Attn: Bankruptcy Dept. 301 E 58Th St N Sioux Falls SD 57104 Acct #: 5966234650210001		w	Dates: 2008-2009 Reason: Loan or Tuition for Education				\$ 6,164			

# Document Page 18 of 43 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Briston Terry Sr. and Gail Renee Terry / Debtors

In re

	SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS											
	Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C A H	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim				
11	Discover FIN SVCS LLC Attn: Bankruptcy Dept. Po Box 15316 Wilmington DE 19850 Acct #: XXXXX6375		Н	Dates: 1990-2009 Reason: Credit Card or Credit Use				\$ 1,955				
12	Equifax Attn: Bankruptcy Dept. P.O. Box 740241 Atlanta GA 30374 Acct #: XXXXX6375			Dates: 2009 Reason: Notice Only				\$ 0				
13	Experian Attn: Bankruptcy Dept. P.O. Box 2002 Allen TX 75013 Acct #: XXXXX6375			Dates: 2009 Reason: Notice Only				\$ 0				
14	Exxmblciti Attn: Bankruptcy Dept. Po Box 6497 Sioux Falls SD 57117 Acct #: XXXXX6375		Н	Dates: 2003-2009 Reason: Credit Card or Credit Use				\$ 559				
15	GEMB/JC PENNEY DC Attn: Bankruptcy Dept. Po Box 981400 El Paso TX 79998 Acct #: XXXXX6375		Н	Dates: 2005-2009  Reason: Credit Card or Credit Use				\$ 709				
16	GEMB/Meijer Attn: Bankruptcy Dept. Po Box 981400 EI Paso TX 79998 Acct #: XXXXX6337		w	Dates: 2008-2009 Reason: Credit Card or Credit Use				\$ 608				
17	GEMB/Meijer Attn: Bankruptcy Dept. Po Box 981400 El Paso TX 79998 Acct #: XXXXX6375		Н	Dates: 2008-2009 Reason: Credit Card or Credit Use				\$ 270				

Case 09-24522 Doc 1 Filed 07/06/09 Entered 07/06/09 17:06:44 Desc Main Document Page 19 of 43
UNITED STATES BANKRUPTCY COURT

## NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Briston Terry Sr. and Gail Renee Terry / Debtors

In re

	SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS										
	Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Zip Code and Account Number						Amount of Claim			
18	GEMB/SAMS CLUB Attn: Bankruptcy Dept. Po Box 981400 El Paso TX 79998 Acct #: XXXXX6375		Н	Dates: 2001-2009 Reason: Credit Card or Credit Use				\$ 113			
19	GEMB/Walmart Attn: Bankruptcy Dept. Po Box 981400 El Paso TX 79998 Acct #: XXXXX6375		J	Dates: 1986-2009 Reason: Credit Card or Credit Use				\$ 450			
20	Harris & Harris LTD Attn: Bankruptcy Dept. 222 Merchandise Mart Pla Chicago IL 60654 Acct #: 13153230		Н	Dates: 2008-2008 Reason: Medical Debt				\$ 2,803			
21	Provena Mercy Center Attn: Bankruptcy Department 1325 N. Highland Avenue Aurora IL 60506-1458 Acct #: 9399458901		J	Dates: 2008 Reason: Medical/Dental Services				\$ 3,100			
22	Sears/CBSD Attn: Bankruptcy Dept. Po Box 6189 Sioux Falls SD 57117 Acct #: XXXXX6375		Н	Dates: 2000-2009 Reason: Credit Card or Credit Use				\$ 2,860			
23	THD/CBSD Attn: Bankruptcy Dept. Po Box 6497 Sioux Falls SD 57117 Acct #: XXXXX6375		Н	Dates: 2006-2009 Reason: Credit Card or Credit Use				\$ 3,017			
24	TransUnion Attn: Bankruptcy Dept. P.O. Box 1000 Chester PA 19022 Acct #: XXXXX6375			Dates: 2009 Reason: Notice Only				\$ 0			

# Document Page 20 of 43 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry Sr. and Gail Renee Terry / Debtors

SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY	CLAIMS

Creditor's Name, Mailing Address Including
Zip Code and Account Number
(See Instructions Above)

Codebtor O C M H

Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State nliquidated

Amount of Claim

**Total Amount of Unsecured Claims** 

(Report also on Summary of Schedules)

\$ 63,124.00

Record # 437884 B6F (Official Form 6F) (12/07) Page 5 of 5

Case 09-24522 Doc 1 Filed 07/06/09 Entered 07/06/09 17:06:44 Desc Main Document Page 21 of 43

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

#### SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).



Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract. Description of Contract or Lease and Nature of Debtor's Interest. State whether Lease is for Non-Residential Real Property. State Contract Number or Any Government Contract.

[x] None

PFG Record # 437884 B6G (Official Form 6G) (12/07) Page 1 of 1

Case 09-24522 Doc 1 Filed 07/06/09 Entered 07/06/09 17:06:44 Desc Main Document Page 22 of 43

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry Sr.and Gail Renee Terry, Debtors

#### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight-year period immediately preceding the commencement of the case, identify the name of the debtor 's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no codebtors.

Name and Address of CoDebtor	Name and Address of the Creditor
[x] None	
Millianic	

PFG Record # 437884 B6H (Official Form 6H) (12/07) Page 1 of 1

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

Bankruptcy Docket #:

### SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital	DEPENDENTS OF DEBTOR AND SPOUSE ~ RELATIONSHIP AND AGE  25, Son (unemployed)		
Status: Married			
	DEBTOR EMPLOYMENT	SPOUSE EMPLOYMENT	
Occupation:	Porter	Cashier	
Name of Employer:	Gerald Nissan	Walmart	
Years Employed	just started	2 years	
Employer Address:	213 Hansen Blvd	2000 Orchard	
City, State, Zip	North Aurora, IL 60542	Montgomery, IL 60538	

INCOME: (Estimate of average or projected monthly income at time case filed.)	DEBTOR	SPOUSE
1. Monthly Gross Wages, Salary, and commissions	\$ 1,906.67	\$ 1,379.86
(Prorate if not paid monthly.) –  2. Estimated Monthly Overtime –	\$ 0.00	\$ 0.00
3. SUBTOTAL	\$ 1,906.67	\$ 1,379.86
4. LESS PAYROLL DEDUCTIONS	_	
a. Payroll Taxes and Social Security	\$ 361.40	\$ 263.16
b. Insurance	\$ 0.00	\$ 45.28
c. Union Dues	\$ 0.00	\$ 0.00
d. Other (Specify)  Pension: –	\$ 0.00	\$ 0.00
Voluntary 401 Contributions:	\$ 0.00	\$ 0.00
Child Support:	\$ 0.00	\$ 0.00
Life Insurance, Uniforrms, 401K Loan:	\$ 0.00	\$ 0.00
5. SUBTOTAL OF PAYROLL DEDUCTIONS	\$ 361.40	\$ 308.45
6. TOTAL NET MONTHLY TAKE HOME PAY	\$ 1,545.27	\$ 1,071.41
7. Regular income from operation of business or profession or farm	\$ 0.00	\$ 0.00
3. Income from real property	\$ 0.00	\$ 0.00
9. Interest and dividends	\$ 0.00	\$ 0.00
10. Alimony, maintenance or support payments payable to the debtor	\$ 0.00	\$ 0.00
for the debtor's use or that of dependents listed above.	\$ 0.00	\$ 0.00
11. Social Security or government assistance (Specify)	,	
12. Pension or retirement income	\$ 3,790.28	\$ 0.00
13. Other monthly income (Specify:) & & _	\$ 0.00	\$ 0.00
Unemployment Income	\$ 0.00	\$ 0.00
14. SUBTOTAL OF LINES 7 THROUGH 13		
15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)	\$ 5,335.55	\$ 1,071.41
16. COMBINED AVERAGE MONTHLY INCOME (Combine column totals fromline 15;	\$ 6,406	5.96
there is only one debtor repeat total reported on line 15.)	seport also on Summary of Schedules and it	f applicable on Statistical Summary

Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data.)

Record #: 437884 B6I (Official Form 6I) (12/07) Page 1 of 1

<sup>17.</sup> Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document: **None** 

# UNITED STATTES BARKRUHT CYCOURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

Bankruptcy Docket #:

	SCHEDULE	J - CURREN	T EXPENSES OF I	NDIVIDUAL	DEBTOR(S)	
·	-	g the average monthly exi- i-annually, or annually to	xpenses of the debtor and the de show monthly rate.	ebtor's family at time c	ase filed. Prorate any	
Check box if joint	petition is filed & deb	tor's spouse maintains a se	eparate household. Complete a se	parate schedule of exp	enditures labeled "Spouse	
. Rent or home n	nortgage payme	nt (include lot rented	d for mobile home)			\$ 1,943.00
a. Real Estate	e taxes included	? [] Yes [x] No	b. Property insura	ance included?	[] Yes [x] No	
Utilities: a. E	Electricity and He	eating Fuel				\$ 400.00
	Vater, Sewer, G	-				\$ 110.00
c. C	ellphone, Intern	et				\$ 110.00
d. C	other Home	Phone and Cable T	elevision			\$ 160.00
Home Maintena	ance (repairs an	d upkeep)				\$ 78.00
Food						\$ 700.00
Clothing						\$ 125.00
Laundry and Di	y Cleaning					\$ 125.00
Medical and De	ental Expenses					\$ 125.00
	not including ca	ar payments)	Gas, Tolls/Parking, Fees/	Licenses, Repair	r, Bus/Train	\$ 619.00
•		nment, Newspapers				\$ 125.00
). Charitable Con	tributions					\$ 50.00
· ·		<del>-</del>	home mortgage payment	s)		\$ 50.00
_	lomeowner's or	Renters				\$ -
b. L	ıте lealth					\$-
d. A						\$ 145.00
e. C						\$-
		os or included in hen	no mortagao naymonto)			Φ-
•	_	Tax Repayments, F	ne mortgage payments) Real Estate Taxes			\$ 1,015.80
` ' ' ' _			ases, do not list payments	s to be included in	ı plan)	•
a. A						<b>\$</b> -
	Reaffirmation Pag	yments	•			\$ -
C. C		nort noid to others	\$-			<u>\$-</u>
•	•	port paid to others	P. Const. Const. Lance			\$-
-	• •	nal dependents not	• •			\$-
			ession, or farm (attach det		Б. (	<b>\$</b> -
	uts, Hygiene, ecare, Meds	Newspaper/Mags Postage/Banking	•	Childcare & Babysitting	Pet Care:	
:	\$275.00	\$90.00	\$0.00	\$ -	\$ 35.00	\$400.00
		SES (Total lines 1-17. Realilities and Related Data	eport also on Summary of Scheo	dules and if applicable	, on	\$ 6,345.80
	-		ticipated to occur within the	ne year following	the filing this docum	ent:
D. STATEMENT C	F MONTHLY N	ET INCOME	a. Average monthly inco	ome from Line 15	of Schedule I	\$ 6,406.96
		<del>-</del>	b. Average monthly exp			\$ 6,345.80
			c. Monthly net income (			\$ 61.17
			d. Total amount to be pa	•	hlv	\$ -
			a. Total amount to be pe	and plan mont	··· <i>y</i>	<del>*</del>

Record #: 437884 B6J (Official Form 6J) (12/07) Page 1 of 1

Case 09-24522 Doc 1 Filed 07/06/09 Entered 07/06/09 17:06:44 Desc Main Document Page 25 of 43

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

Bankruptcy Docket #:

#### **DECLARATION CONCERNING DEBTOR'S SCHEDULES**

#### **DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the foregoing summary and schedules, and that they are true and correct to the best of my knowledge, information and belief. I have disclosed on the foregoing schedules all property or assets I may have an interest in, the correct value of it, and every debt I may be liable for. I accept the risk that some debts won't be discharged. I have been advised of the difference between Chapter 7 and Chapter 13, income & expense concepts, budgeting, and have made full disclosure.

Debtor's attorney has advised debtor that creditors can object to discharge of their debt on a variety of grounds including fraud, recent credit usage, divorce and support obligations and reckless conduct.

Debtor's attorney has advised debtor that non-dischargeable debts such as taxes, student loans, fines by government units and liens on property of debtor are generally unaffected by bankruptcy.

Dated:	07/06/2009	/s/ Briston Terry, Sr.	X Date & Sign
		Briston Terry, Sr.	
Dated:	07/06/2009	/s/ Gail Renee Terry	X Date & Sign
		Gail Renee Terry	

if joint case, both spouses must sign. If NOT a joint case the joint debtor will NOT appear.

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

#### DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. 110)

Non-Attorney Petition Preparers were **NOT** used to prepare any portion of this petition. All documents were produced by the Law Offices of Peter Francis Geraci.

THIS SECTION ONLY APPLIES TO PETITION PREPARERS AND HAS NOTHING TO DO WITH THIS CASE

#### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

This is a personal bankruptcy for an individual(s) and **NOT** a corporation or partnership.

THIS SECTION ONLY APPLIES TO CORPORTATIONS & PARTNERSHIPS AND HAS NOTHING TO DO WITH THIS CASE

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

### Case 09-24522 Doc 1 Filed 07/06/09 Entered 07/06/09 17:06:44 Desc Main Document Page 26 of 43

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

#### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. If the answer to an applicable question is "None," mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filling of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 01. INCOME FROM EMPLOYMENT OR OPERATION OF BUSINESS:

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

	-	•	
	AMOUNT	SOURCE	
	2009: \$9508	employment	
	2008: \$29,883		
	2007: \$18,680		
X	Spouse		
	AMOUNT	SOURCE	

PFG Record # 437884 B7 (Official Form 7) (12/07) Page 1 of 13

Case 09-24522 Doc 1 Filed 07/06/09 Entered 07/06/09 17:06:44 Desc Main Page 27 of 43 Document

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

#### STATEMENT OF FINANCIAL AFFAIRS

02. INCOME OTHER THAN FROM EMPLOYMENT OR OPERATION OF BUSINESS:

State the amount of income received by the debtor other than from employment, trade, profession, operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**AMOUNT** SOURCE 2009: \$0 Withdrawl from pension

2008: \$0 2007: \$42.832 2009: \$3,790/m

2008: \$16,330

**Railroad Retirement Benefits** 

2007: \$0

NONE

Spouse

AMOUNT SOURCE

03. PAYMENTS TO CREDITORS:

Complete a. or b. as appropriate, and c.

a. INDIVIDUAL OR JOINT DEBTOR(S) WITH PRIMARILY CONSUMER DEBTS: List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within 90 days immediately proceeding the commencement of this case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$600.00. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address Dates of Amount Still Owing of Creditor Payments Paid Monthly \$ 5,829 \$ 244,409 **US BANK** 4801 Frederica St

Owensboro KY 42301



b. DEBTOR WHOSE DEBTS ARE NOT PRIMARILY CONSUMER DEBTS: List each payment or other transfer to any creditor made with 90 days immediately preceding the commencement of the case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$5,000 (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by each or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address Dates of Amount Paid or Value of Amount Payment/Transfers Still Owing of Creditor Transfers

437884 Page 2 of 13 B7 (Official Form 7) (12/07) PFG Record #

# Document Page 28 of 43 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

b. DEDICK WHOSE DEDICANE IN	OT PRIMARII Y CONSLIMER DERTS: I	ist each payment or other transfer to any cred	litor made with 90
days immediately preceding the comm		value of all property that constitutes or is affect	
	00 0	apter 13 must include payments and other tra	•
•	·	separated and a joint petition is not filed.)	, ,
Name and Address	Dates of	Amount Paid or Value of	Amount
of Creditor	Payment/Transfers	Transfers	Still Owing
	·		
: ALL DEBTORS: List all payments	made within 1 year immediately precedi	ng the commencement of this case to or for th	e benefit of
• •		r chapter 13 must include payments be either	
,	n is filed, unless the spouses are separa		
Name & Address of Creditor	Dates	Amount Paid or Value of	Amount
& Relationship to Debtor	of Payments	Transfers	Still Owing
)4. SUITS AND ADMINISTRATIVE P	PROCEEDINGS, EXECUTIONS, GARNI	SHMENTS AND ATTACHMENTS:	
int all lawquite & administrative proce	andings to which the debter is ar was a	arty within 1 (one) year immediately precedin	a the filing of
·	,	nust include information concerning either or l	•
	unless the spouses are separated and a	· ·	oou. opouooo
CAPTION OF	NATURE	COURT	STATUS
SUIT AND	OF	OF AGENCY	OF
	PROCEEDING	AND LOCATION	DISPOSITION
CASE NUMBER			
CASE NUMBER	JISHED: Describe all property that has be	oon attached, garnished or solized under any	logal or equitable
CASE NUMBER  O4b. WAGES OR ACCOUNTS GARN		een attached, garnished or seized under any	- ·
CASE NUMBER  4b. WAGES OR ACCOUNTS GARN rocess within (1) one year preceding	the commencement of this case. (Marr	een attached, garnished or seized under any ied debtors filing under chapter 12 or chapter nt petition is filed, unless the spouses are sep	13 must include

PFG Record # 437884 B7 (Official Form 7) (12/07) Page 3 of 13

# Document Page 29 of 43 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

Organization

Jehovah Witnesses

	STATEMENT OF FINA		
05. REPOSSESSION, FORECLO	DSURES AND RETURNS:		
returned to the seller, within one	cossessed by a creditor, sold at a foreclosure sale year immediately preceding the commencement of ion concerning property of either or both spouses at petition is not filed.)	f this case. (Married debtors filing und	er chapter 12 or
Name and Address of Creditor or Seller	Date of Repossession, Foreclosure Sale, Transfer or Return	Description and Value of Property	
06. ASSIGNMENTS AND RECEI	VERSHIPS:		
case. (Married debtors filing unde	operty for the benefit of creditors made within 120 er chapter 12 or chapter 13 must include any assigns es are separated and a joint petition is not filed.)	• • • •	
Name and Address of	Date of	Terms of Assignment or	
Assignee	Assignment	Settlement	
preceding the commencement of	en in the hands of a custodian, receiver, or court-a this case. (Married debtors filing under chapter 12 s whether or not a joint petition is filed, unless the	2 or chapter 13 must include information	on concerning
Name and	Name & Location	Date	Description
Address	of Court Case	of	and Value of
of Custodian	Title & Number	Order	Property
07. GIFTS:			
usual gifts to family members agg han \$100 per recipient. (Married	tions made within one year immediately preceding gregating less than \$200 in value per individual far debtors filing under chapter 12 or chapter 13 mus led, unless the spouses are separated and a joint	nily member and charitable contribution t include gifts or contributions by eithe	ons aggregating less
•	Relationship	Date	Description

PFG Record # 437884 B7 (Official Form 7) (12/07) Page 4 of 13

Gift

yearly

of Gift

\$250

If Any

**Religious Organization** 

Case 09-24522 Doc 1 Filed 07/06/09 Entered 07/06/09 17:06:44 Desc Main Document Page 30 of 43

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

### STATEMENT OF FINANCIAL AFFAIRS

NONE

08. LOSSES:

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Description and Description of Circumstances and, Date
Value if Loss Was Covered in Whole or in of
of Property Part by Insurance, Give Particulars Loss

#### 09. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY:

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one (1) year immediately preceding the commencement of this case.

Name and Date of Payment, Amount of Money or Address Name of Payer if Description and Other Than Debtor Value of Property

Law Offices of Peter Payment, Amount of Money or Description and Other Than Debtor Value of Property

2,200.00

Francis Geraci 55 E Monroe St Suite#3400 Chicago,IL 60603

09a. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY: List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within 1 year immediately preceding the commencement of this case.

Name and Date of Payment, Amount of Money or Address Name of Payer if description and Off Payee Other Than Debtor Value of Property

MMI/CCCS 2009 \$50.00

9009 W. Loop S. Houston, TX 77096 Phone 866.983.2227

PFG Record # 437884 B7 (Official Form 7) (12/07) Page 5 of 13

# Document Page 31 of 43 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

	STATEMENT OF FINANCIAL AFFAIRS		
10. OTHER TRANSFERS			
transferred either absolutely or a	nan property transferred in the ordinary course of the security with two (2) years immediately preceding a security with two (2) years immediately preceding a security with two (2) years by either or both spous the petition is not filed.)	g the commencement of this case	. (Married debtors
Name and Address of		Describe Property	
Transferee, Relationship		Transferred and	
to Debtor	Date	Value Received	_
10b. List all property transferred trust or similar device of which th Name of Trust or other Device	by the debtor within ten (10) years immediately proper debtor is a beneficiary.  Date(s)  of  Transfer(s)	Amount and Date of Sale or Closing	s case to a self-settled
trust or similar device of which the Name of Trust or other Device  11. CLOSED FINANCIAL ACCOUNTY List all financial accounts and insotherwise transferred within one financial accounts, certificates of cooperatives, associations, brok	Date(s) of Transfer(s)  DUNTS:  Struments held in the name of the debtor or for the (1) year immediately preceding the commenceme of deposit, or other instruments; shares and share a derage houses and other financial institutions. (Maroccounts or instruments held by or for either or bott	Amount and Date of Sale or Closing  benefit of the debtor which were cont of this case. Include checking, secounts held in banks, credit unioried debtors filing under chapter 12	closed, sold, or savings, or other ns, pension funds, 2 or chapter 13 must
trust or similar device of which the Name of Trust or other Device  11. CLOSED FINANCIAL ACCOUNTS and insotherwise transferred within one financial accounts, certificates of cooperatives, associations, brokinclude information concerning a	Date(s) of Transfer(s)  DUNTS:  Struments held in the name of the debtor or for the (1) year immediately preceding the commenceme of deposit, or other instruments; shares and share a derage houses and other financial institutions. (Maroccounts or instruments held by or for either or bott	Amount and Date of Sale or Closing  benefit of the debtor which were cont of this case. Include checking, secounts held in banks, credit unioried debtors filing under chapter 12	closed, sold, or savings, or other ns, pension funds, 2 or chapter 13 must
trust or similar device of which the Name of Trust or other Device  11. CLOSED FINANCIAL ACCOO. List all financial accounts and insotherwise transferred within one financial accounts, certificates of cooperatives, associations, brok include information concerning at the spouses are separated and a	Date(s) of Transfer(s)  DUNTS:  Struments held in the name of the debtor or for the (1) year immediately preceding the commenceme of deposit, or other instruments; shares and share a derage houses and other financial institutions. (Mariccounts or instruments held by or for either or bottom is joint petition is not filed.)	Amount and Date of Sale or Closing  benefit of the debtor which were ont of this case. Include checking, secounts held in banks, credit unionitied debtors filing under chapter 12 a spouses whether or not a joint per	closed, sold, or savings, or other ns, pension funds, 2 or chapter 13 must

NONE

### 12. SAFE DEPOSIT BOXES:

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Bank	Names & Addresses of Those With	Description of	Date of Transfer or
or Other Depository	Access to Box or depository	Contents	Surrender, if Any

PFG Record # 437884 B7 (Official Form 7) (12/07) Page 6 of 13

Case 09-24522 Doc 1 Filed 07/06/09 Entered 07/06/09 17:06:44 Desc Main Document Page 32 of 43

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

#### STATEMENT OF FINANCIAL AFFAIRS

X

13. SETOFFS:

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address Date Amount of Creditor of Setoff of Setoff

NONE

14. LIST ALL PROPERTY HELD FOR ANOTHER PERSON:

List all property owned by another person that the debtor holds or controls.

Name and Address Description and Location of Owner Value of Property of Property

#### 15. PRIOR ADDRESS OF DEBTOR(S):

If debtor has moved within three (3) years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

	Name	Dates of
Address	Used	Occupancy
78 Terry Dr	Same	FROM 8/1992 To 5/2009
Sugar Grove IL		
60554-5429		
78 Terry Dr	Same	FROM 7/1992 To 4/2008
Sugar Grove IL		
60554-5429		
70 Terry Dr	Same	FROM 9/2006 To 9/2006
Sugar Grove IL		
60554-5429		
PO BOX 458	Same	FROM 9/1992 To 6/2006
Sugar Grove IL		
60554-0458		

PFG Record # 437884 B7 (Official Form 7) (12/07) Page 7 of 13

Case 09-24522 Doc 1 Filed 07/06/09 Entered 07/06/09 17:06:44 Desc Main Document Page 33 of 43

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

	STATEMENT OF FINA	ANCIAL AFFAIRS	
16. SPOUSES and FORMER SPO	JSES:		
Louisiana, Nevada, New Mexico, P	community property state, commonwealth, or uerto Rico, Texas, Washington, or Wisconsin y the name of the debtor's spouse and of any	) within eight (8) years immediately pr	receding the
Name			
17. ENVIRONMENTAL INFORMAT	ION:		
For the purpose of this question, the	e following definitions apply:		
toxic substances, wastes or materia	deral, state, or local statute or regulation regul al into the air, land, soil surface water, ground e cleanup of the these substances, wastes, o	water, or other medium, including, bu	
"Site" means any location, facility, operated by the debtor, including, b	or property as defined under any Environment ut not limited to, disposal sites.	al Law, whether or not presently or fo	rmerly owned or
"Hazardous material" means anythi environmental Law.	ng defined as a hazardous waste, hazardous	or toxic substances, pollutant, or con	taminant, etc. under
	every site for which the debtor has received n tion of an Environmental Law. Indicate the go		•
Site Name	Name and Address	Date	Environmental
and Address	of Governmental Unit	of Notice	Law

Date

of Notice

Environmental

Law

17b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous

Name and Address

of Governmental Unit

Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

Site Name

and Address

PFG Record # 437884 B7 (Official Form 7) (12/07) Page 8 of 13

# Document Page 34 of 43 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

17c. List all judicial or administrative proc debtor is or was a party. Indicate the nam		•	•
number.	ie and address of the governmental di	int that is of was a party to the proceeding	g, and the docker
Name and Address of	Docket	Status of	
Governmental Unit	Number	Disposition	
18 NATURE, LOCATION AND NAME OF	F BUSINESS		
a. If the debtor is an individual, list the na ending dates of all businesses in which the	he debtor was an officer, director, part	ner, or managing executive of a corporati	ion, partner in a
partnership, sole proprietor, or was self-e immediately preceding the commenceme		•	: : <u>:</u>
within six (6) years immediately preceding		·	. ,
If the debtor is a partnership, list the nam	nes, addresses, taxpayer identification	numbers, nature of the businesses, and l	beginning and
ending dates of all businesses in which the (6) years immediately preceding the com-	·	ercent or more of the voting or equity secu	urities, within six
	ies, addresses, taxpayer identification	numbers, nature of the businesses, and I	beginning and
If the debtor is a corporation, list the nam	ne debtor was a partner or owned 5 pe	ercent or more of the voting or equity secu	and the second of the second of
ending dates of all businesses in which the			urities within six
•	nmencement of this case.		urities within six
ending dates of all businesses in which the (6) years immediately preceding the companies. Name & Last Four Digits of	nmencement of this case.	Nature	Beginning
ending dates of all businesses in which the (6) years immediately preceding the com-	nmencement of this case.  Address	Nature of Business	

PFG Record # 437884 B7 (Official Form 7) (12/07) Page 9 of 13

# Document Page 35 of 43 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

	completed by every debtor that is a corpo	ration or partnership and by any individual debtor who is or
nas been, within six years immedia	itely preceding the commencement of this	case, any of the following: an officer, director, managing
		of a corporation; a partner, other than a limited partner, of a
partnership, a sole proprietor, or se	elf-employed in a trade, profession, or othe	r activity, either full- or part-time.
•	•	nly if the debtor is or has been in business, as defined above,
	· ·	btor who has not been in business within those six years
should go directly to the signature	page.)	
19. BOOKS, RECORDS AND FIN	ANCIAL STATEMENTS:	
ist all hookkeeners and accounta	ats who within two (2) years immediately n	receding the filing of this bankruptcy case kept or supervised
he keeping of books of account ar	. , ,	receding the ming of this bankrupicy case kept of supervised
Name	Dates Services	
and Address	Rendered	
		ing the filing of this bankruptcy case have audited the books of
	o within two (2) years immediately preced a financial statement of the debtor.	
		ing the filing of this bankruptcy case have audited the books of  Dates Services  Rendered
account and records, or prepared a	a financial statement of the debtor.	Dates Services
account and records, or prepared a . Name  19c. List all firms or individuals who	a financial statement of the debtor.  Address  a at the time of the commencement of this	Dates Services Rendered  case were in possession of the books of account and records
account and records, or prepared a . Name  19c. List all firms or individuals who	a financial statement of the debtor.  Address	Dates Services Rendered  case were in possession of the books of account and records
account and records, or prepared a . Name  19c. List all firms or individuals who	a financial statement of the debtor.  Address  a at the time of the commencement of this	Dates Services Rendered  case were in possession of the books of account and records
Name  19c. List all firms or individuals who of the debtor. If any of the books of	Address  Address  a the time of the commencement of this account and records are not available, ex	Dates Services Rendered  case were in possession of the books of account and records
Name  19c. List all firms or individuals who of the debtor. If any of the books of	Address  Address  a the time of the commencement of this account and records are not available, ex	Dates Services Rendered  case were in possession of the books of account and records

PFG Record # 437884 B7 (Official Form 7) (12/07) Page 10 of 13

# Document Page 36 of 43 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

	STATEMENT OF FIN	ANCIAL AFFAIRS
20. INVENTORIES		
ist the dates of the last two he dollar amount and basis of		person who supervised the taking of each inventory, and
Date	Inventory	Dollar Amount of Inventory
of Inventory	Supervisor	(specify cost, market of other basis)
List the name and address	of the person having possession of the records of	each of the inventories reported in a., above.
Date	Name and Addresses of Custodian	
of Inventory	of Inventory Records	
21. CURRENT PARTNERS,	OFFICERS, DIRECTORS AND SHAREHOLDERS	:
a. If the debtor is a partnersh	ip, list nature and percentage of interest of each me	ember of the partnership.
Name	Nature	Percentage of
and Address	of Interest	Interest
21b. If the debtor is a corpora	ation, list all officers & directors of the corporation; a	nd each stockholder who directly or indirectly owns,
21b. If the debtor is a corpora controls, or holds 5% or more	ation, list all officers & directors of the corporation; as of the voting or equity securities of the corporation	nd each stockholder who directly or indirectly owns,
21b. If the debtor is a corpora	ation, list all officers & directors of the corporation; a	nd each stockholder who directly or indirectly owns,
21b. If the debtor is a corpora controls, or holds 5% or more Name and Address	ation, list all officers & directors of the corporation; as of the voting or equity securities of the corporation .  Title	nd each stockholder who directly or indirectly owns, . Nature and Percentage of
21b. If the debtor is a corpora controls, or holds 5% or more Name and Address	ation, list all officers & directors of the corporation; at e of the voting or equity securities of the corporation  Title  DEFICERS, DIRECTORS AND SHAREHOLDERS:	nd each stockholder who directly or indirectly owns,  Nature and Percentage of Stock Ownership
21b. If the debtor is a corpora controls, or holds 5% or more Name and Address	ation, list all officers & directors of the corporation; as of the voting or equity securities of the corporation .  Title	nd each stockholder who directly or indirectly owns,  Nature and Percentage of Stock Ownership  st of each member of the partnership.
21b. If the debtor is a corpora controls, or holds 5% or more Name and Address	ation, list all officers & directors of the corporation; at e of the voting or equity securities of the corporation  Title  DEFICERS, DIRECTORS AND SHAREHOLDERS:	nd each stockholder who directly or indirectly owns,  Nature and Percentage of Stock Ownership
21b. If the debtor is a corpora controls, or holds 5% or more Name and Address  22. FORMER PARTNERS, of the debtor is a partnership, . Name	ation, list all officers & directors of the corporation; at of the voting or equity securities of the corporation.  Title  DFFICERS, DIRECTORS AND SHAREHOLDERS: list the nature and percentage of partnership interes.  Address  ation, list all officers, or directors whose relationship	nd each stockholder who directly or indirectly owns,  Nature and Percentage of Stock Ownership  st of each member of the partnership.  Date of
21b. If the debtor is a corpora controls, or holds 5% or more Name and Address  22. FORMER PARTNERS, of the debtor is a partnership, Name	ation, list all officers & directors of the corporation; at of the voting or equity securities of the corporation.  Title  DFFICERS, DIRECTORS AND SHAREHOLDERS: list the nature and percentage of partnership interes.  Address  ation, list all officers, or directors whose relationship	nd each stockholder who directly or indirectly owns,  Nature and Percentage of Stock Ownership  st of each member of the partnership.  Date of Withdrawal

# Document Page 37 of 43 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

	STATEMENT OF FIN	
22b. If the debtor is a corporation, mmediately preceding the comme	•	with the corporation terminated within one (1) year
Name and Address	Title	Date of Termination
23. WITHDRAWALS FROM A PA	RTNERSHIP OR DISTRIBUTION BY A COPO	DRATION:
		redited or given to an insider, including compensation in any uisite during one year immediately preceding the
Name and Address of	Date and	Amount of Money or
Recipient, Relationship to	Purpose of	Description and value of
Debtor	Withdrawal	Property
24. TAX CONSOLIDATION GROU	JP:	
or tax purposes of which the debt		imber of the parent corporation of any consolidated group  6) years immediately preceding the commencement of the
or tax purposes of which the debt		
or tax purposes of which the debt case.	or has been a member at any time within six (	
or tax purposes of which the debt case.  Name of  Parent Corporation	or has been a member at any time within six ( Taxpayer	
or tax purposes of which the debt case.  Name of Parent Corporation  25. PENSION FUNDS:	Taxpayer Identification Number (EIN)	
for tax purposes of which the debt case.  Name of Parent Corporation  25. PENSION FUNDS:	Taxpayer Identification Number (EIN)	6) years immediately preceding the commencement of the

PFG Record # 437884 B7 (Official Form 7) (12/07) Page 12 of 13

Case 09-24522 Doc 1 Filed 07/06/09 Entered 07/06/09 17:06:44 Desc Main Document Page 38 of 43

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Dated:

07/06/2009

Briston Terry Sr. and Gail Renee Terry, Debtors

	OF FINANCIAL	
SIAIFMENI	()F FINANCIAI	AFFAIRS

#### **DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachment thereto and that they are true and correct.

Dated: 07/06/2009 /s/ Briston Terry, Sr. X Date & Sign

Briston Terry, Sr.

X Date & Sign

/s/ Gail Renee Terry

**Gail Renee Terry** 

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

Case 09-24522 Doc 1 Filed 07/06/09 Entered 07/06/09 17:06:44 Desc Main Document Page 39 of 43

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry Sr. and Gail Renee Terry / Debtors

### **DEBTOR'S STATEMENT OF INTENTION**

PART A - Debts secured by property of the estate. (Part A must be fully completed for EACH debt which is secured by property of the estate. Attach additional pages if necessary.)

Describe Property Securing Debt: Silverleaf Resorts	Property No. 1	
■Surrendered □Retained  If retaining the property, I intend to (check at least one):  □Redeem the property  □Reaffirm the debt  □Other. Explain	Creditor's Name: Silverleaf Resorts Bankruptcy Department PO Box 358	Silverleaf Resorts - time share located in Orlando FL. Debtor intends to
If retaining the property, I intend to (check at least one):    Redeem the property   Reaffirm the debt   Other. Explain   (for example, avoid lien using 110 U.S.C. § 522(f)).    Property is (check one):   Not claimed as exempt   Not claimed as exempt	Property will be (check one):	
□Redeem the property □Reaffirm the debt □Other. Explain	■Surrendered □F	Retained
□Reaffirm the debt □Other. Explain	If retaining the property, I intend to (check at least of	one):
□ Other. Explain	□Redeem the property	
522(f)).  Property is (check one):  Claimed as exempt  Into claimed as exempt  Property No. 2  Creditor's Name:  US BANK  Attn: Bankruptcy Dept. 4801 Frederica St Owensboro KY 42301  Property will be (check one):  Surrendered  Retained  If retaining the property, I intend to (check at least one):  Redeem the property  Reaffirm the debt  Other. Explain  Other. Explain  (for example, avoid lien using 110 U.S.C. § 522(f)).  Property is (check one):	☐Reaffirm the debt	
Property is (check one):  Claimed as exempt  Not claimed as exempt  Property No. 2  Creditor's Name: US BANK Attn: Bankruptcy Dept. 4801 Frederica St Owensboro KY 42301  Property will be (check one):  Surrendered Retained  If retaining the property, I intend to (check at least one):  Redeem the property Reaffirm the debt Other. Explain Other. Explain Froperty is (check one):  (for example, avoid lien using 110 U.S.C. § 522(f)).  Property is (check one):	□Other. Explain	(for example, avoid lien using 110 U.S.C. §
□Claimed as exempt	522(f)).	
Property No. 2  Creditor's Name: US BANK  Attn: Bankruptcy Dept. 4801 Frederica St Owensboro KY 42301  Property will be (check one):  Surrendered  Fredianing the property, I intend to (check at least one):  Redeem the property  Reaffirm the debt Other. Explain Other. Explain Froperty is (check one):  (for example, avoid lien using 110 U.S.C. § 522(f)).	Property is (check one):	
Creditor's Name: US BANK  Attn: Bankruptcy Dept. 4801 Frederica St Owensboro KY 42301  Property will be (check one):  □ Redeem the property ■ Reaffirm the debt □ Other. Explain □ Other. Explain 522(f)).  Property is (check one):	□Claimed as exempt	■Not claimed as exempt
Creditor's Name: US BANK  Attn: Bankruptcy Dept. 4801 Frederica St Owensboro KY 42301  Property will be (check one):  □ Redeem the property ■ Reaffirm the debt □ Other. Explain □ Other. Explain 522(f)).  Property is (check one):	Duamento No. 0	1
US BANK Attn: Bankruptcy Dept. 4801 Frederica St Owensboro KY 42301  Property will be (check one):  Surrendered  Retained  If retaining the property, I intend to (check at least one):  Reaffirm the debt  Other. Explain  Other. Explain  Property is (check one):		Describe Property Securing Debt:
4801 Frederica St Owensboro KY 42301  Property will be (check one):  □Surrendered ■Retained  If retaining the property, I intend to (check at least one):  □Redeem the property ■Reaffirm the debt □Other. Explain		
Owensboro KY 42301  Property will be (check one):  Surrendered  Retained  If retaining the property, I intend to (check at least one):  Redeem the property  Reaffirm the debt  Other. Explain		
Property will be (check one):  □Surrendered ■Retained  If retaining the property, I intend to (check at least one):  □Redeem the property ■Reaffirm the debt □Other. Explain		
□Surrendered ■Retained  If retaining the property, I intend to (check at least one): □Redeem the property ■Reaffirm the debt □Other. Explain		
If retaining the property, I intend to (check at least one):  □Redeem the property ■Reaffirm the debt □Other. Explain	Property Will be (check one):	
□Redeem the property ■Reaffirm the debt □Other. Explain (for example, avoid lien using 110 U.S.C. § 522(f)). Property is (check one):	□Surrendered	Retained
■Reaffirm the debt  □Other. Explain (for example, avoid lien using 110 U.S.C. § 522(f)).  Property is (check one):	If retaining the property, I intend to (check at least of	one):
□Other. Explain (for example, avoid lien using 110 U.S.C. § 522(f)).  Property is (check one):	□Redeem the property	
522(f)).  Property is (check one):	■Reaffirm the debt	
Property is (check one):	□Other. Explain	(for example, avoid lien using 110 U.S.C. §
	522(f)).	
■Claimed as exempt □Not claimed as exempt	Property is (check one):	
	■Claimed as exempt	□Not claimed as exempt

Case 09-24522 Doc 1 Filed 07/06/09 Entered 07/06/09 17:06:44 Desc Main Document Page 40 of 43

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry Sr. and Gail Renee Terry / Debtors

### **DEBTOR'S STATEMENT OF INTENTION**

PART B - Personal property subject to unexpired leases. (All three columns of Part B must be completed for each unexpired lease. Attach additional pages if necessary.)

Property No. 0			
Lessor's Name:	Describe Property Securing Debt:	Lease will be	
NONE		assumed pursuant to 11 U.S.C. § 365(p)(2):	
		□ Yes □ No	

I declare under penalty of perjury that the above indicates my intention as to any property of my estate securing a debt and/or personal property subject to an unexpired lease.				
Dated:	07/06/2009	/s/ Briston Terry, Sr.	X Date & Sign	
		Briston Terry, Sr.	A Date & Oigh	
Dated:	07/06/2009	/s/ Gail Renee Terry	X Date & Sign	
		Gail Renee Terry	A Date & Sign	

Case 09-24522 Doc 1 Filed 07/06/09 Entered 07/06/09 17:06:44 Desc Main Page 41 of 43 Document

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

Bankruptcy Docket #:

#### DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR - 2016B

Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

The compensation paid or promised by the Debtor(s), to the undersigned, is as follows: \$2,200 For legal services, Debtor(s) agrees to pay and I have agreed to accept \$2,200 Prior to the filing of this Statement, Debtor(s) has paid and I have received The Filing Fee has been paid. **Balance Due** \$0

The source of the compensation paid to me was:

Debtor(s)	Other: (specify)

The source of compensation to be paid to me on the unpaid balance, if any, remaining is:

Debtor(s) Other: (specify)

The undersigned has received no transfer, assignment or pledge of property from the debtor(s) except the following for the value stated: None.

- The undersigned has not shared or agreed to share with any other entity, other than with members of the undersigned's law firm, any compensation paid or to be paid without the client's consent, except as follows: None.
- The Service rendered or to be rendered include the following:
- (a) Analysis of the financial situation, and rendering advice and assistance to the client in determining whether to file a petition under Title 11, U.S.C.
- Preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
- Representation of the client at the first scheduled meeting of creditors.
- Advice as required.
- By agreement with the debtor(s), the above-disclosed fee does not include the following service: Fee does NOT include missed court dates & amendments to schedules, contested matters, motions, objections to discharge or other matters except the first meeting of creditors.

#### **CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceedings.

Respectfully Submitted,

/s/ Alex Wilson 07/06/2009 Dated:

> Attorney Name: Alex Wilson LAW OFFICES OF PETER FRANCIS GERACI 55 E. Monroe Street #3400 Chicago IL 60603

312.332.1800 (PH) 312.332.6354 (FAX)

Bar No: 6278725

Case 09-24522 Doc 1 Filed 07/06/09 Entered 07/06/09 17:06:44 Desc Main Document Page 42 of 43

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Briston Terry, Sr. and Gail Renee Terry, Debtors

<b>VERIFIC</b>	<b>ATION</b>	OF	CREDIT	<b>FOR</b>	MΔ.	<b>TRIX</b>
	$\Delta II \cup II$	$\mathbf{v}$	CILLDI		IVIA	$\mathbf{I}$

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

07/06/2009 /s/ Briston Terry, Sr. Dated:

Briston Terry, Sr.

X Date & Sign

/s/ Gail Renee Terry Dated: 07/06/2009

**Gail Renee Terry** 

X Date & Sign

<sup>\*</sup> Joint debtors must provide information for both spouses. Penalty for making a false statement or concealing property: Fine up to \$500,000 or up to 5 years imprisonment or both. 18 U.S.C. 152 and 3571.

In re

Briston Terry Sr. and Gail Renee Terry, Debtors

### NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S)

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

#### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days before bankruptcy filing. Briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) must be provided by nonprofit budget & credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

#### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

#### Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not

#### Chapter 13: Repayment of All or Part of Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family farm or fishing operation.

#### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

### I (We), the debtor(s), affirm that I (we) have received and read this notice.

/s/ Briston Terry, Sr. Sign & Date 07/06/2009 Dated: Here Briston Terry, Sr. /s/ Gail Renee Terry 07/06/2009 Sign & Date Dated: **Gail Renee Terry** Here /s/ Alex Wilson 07/06/2009 Dated: Attorney: Alex Wilson Bar No: 6278725

PFG Record # 437884